REMARKS

Claims 1-23 and 25-36 are present in this application. Claims 1, 27 and 28 are independent claims.

Statement of Interview

Applicants thank the Examiner for conducting the interview on July 8, 2009. Applicants believe that as a result of the interview, the Examiner has a better understanding of the applicants' invention. Also, claim amendments are provided that take into account discussion during the interview.

During the interview, proposed amendments were provided to address the section 101 rejection. There was a brief discussion as to whether "processor" should be added to the claims to address the section 101 rejection. Applicants' representative pointed out that different Groups in the USPTO are inconsistent as to the meaning of the term "processor."

There was an informal agreement, that a "network" does provide a physical aspect of the claimed method and should be sufficient for addressing the section 101 rejection.

During the interview, proposed amendments were provided to address the rejection based on Chatfield. It was pointed out that unlike Chatfield, the present invention provides distributed selection order management tables and an "order" over all contents and content providing stations based on the selection order management tables.

§ 101 Rejection

Claims 1, 27, and 28 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter, i.e. program *per se*. Applicants disagree that the claims would be considered as being directed to a program itself. For example, Applicants submit that a step of "the content selection requesting station storing a selection rule" and a step of "transmitting a content switching instruction to the content selection requesting station" cannot be performed by a program itself.

In any case, Applicants have added that the claimed amendment is directed to a network environment including associated components in which the method is carried out. Applicants submit that the network environment constitutes specific machine(s) for performing the claimed process steps.

Applicants request that the rejection be reconsidered based on the claims as amended.

§ 112, Second Paragraph Rejection

Claims 1-23 and 25-36 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended claims 1, 16, 17, 21, 22, 23, 27, and 28. Applicants request that the rejection be reconsidered and withdrawn based on the claims as amended.

With respect to claims 1, 27, and 28, the Office Action indicates that the claimed "every time the same operation of the operator is performed" is unclear. Applicants have amended claims 1, 27, and 28 to clarify that a "single user action to the controller" is the condition associated with "every time," and that the "single user action to a controller" causes a content switching instruction.

With respect to claims 16 and 17, the Office Action indicates that it is unclear what the claimed "the content" refers back to.

Applicants have amended claims 16 and 17 to refer to "active content." Based on this amendment, Applicants submit that claims 16 and 17 are clear.

With respect to claims 21-23, the Office Action indicates that the claimed "too distant" is a relative phrase. Applicants have amended claims 21-23 to clarify the definition of "distance." Based on this amendment, Applicants submit that claims 21-23 are clear.

§ 102(e) Rejection – Chatfield

Claims 1-14, 16-23, 25, 26, 29-36 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication 2003/0105763 ("Chatfield"). Applicants respectfully traverse this rejection.

Embodiments of the present invention are directed to a content selection method in a network (e.g., Fig. 12) interconnecting a content selection requesting station (e.g., a "local communication station" such as communication station A) and a plurality of content providing stations (e.g., "remote communication stations" such as communication station B and communication station C), the plurality of content providing stations each connected to a plurality of contents or content providing devices (e.g., DVD and video players; "device a" "device b" "device c" "device d" "device e" and "device f"), the content selection method for selecting, by the plurality of content providing stations, a content or content providing device from among the plurality of contents or content providing devices, in which the content selection requesting station selects from among the plurality of content providing stations that in turn select from among the contents or content providing devices, comprising:

the content selection requesting station storing a selection rule for selecting from among the content providing stations (e.g., determining the other end from which a video is to be received, in accordance with a rule – S123, S124, Fig. 6);

a controller (e.g., controller 104; see Fig. 23) transmitting a content switching instruction ("switching command") to the content selection requesting station in accordance with a single user action to the controller (specification at section "Switch with one action" – e.g., push of one button, on pages 74-86); and

the content selection requesting station, which has received the content switching instruction, transmitting the content switching instruction to a content providing station (step S206),

wherein, the content providing station (communication station B) stores a selection order management table (604; see, for example, Fig. 20) indicative of an order for selecting from among the plurality of contents or content providing devices, and every time the same single user action to the controller is performed (e.g., every time "switching button" on controller is pressed), the content providing station refers to the selection order management table and switches the content or content providing device to be selected to a content or content providing device of an order following an order of a currently selected content or content providing device in the selection order management table in a case where the content or content providing device of the order following the order of the currently selected content or content providing device is present in the selection order management table.

The steps performed upon the "one action" in the case that the content or content providing device of the order following the order of the currently selected content or content providing device is present in the selection order management table is described with respect to an example disclosed in the specification at pages 74-86 (in particular, see description beginning on page 82). In the example, in the case that the present content is provided at a content providing device that is last on an ordered list contained in the selection order management table (e.g. "f" in Fig. 22; *shown below*), the communications function selects a next content providing station in an ordered list contained in a selection order management table of the content requesting station (e.g., "B" in Fig. 18; *show below*).

FIG. 22

ORDER	PLUG ID
1	d
2	e
3	f

606

FIG. 18

ORDER	COMMUNICATION STATION ADDRESS
1	B
2	C

602

FIG. 20

ORDER	PLUG ID
1	a
2	b
3	c

604

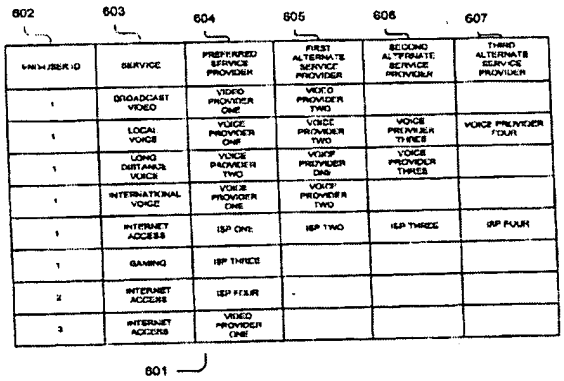
A selection of a content providing device is then made based on the ordered list in the selection order management table of the selected content providing station (e.g., "a" in Fig. 20; *shown above*). Providing a subsequent "one action", the next content providing device listed in the ordered list contained in the selection order management table is selected (e.g., "b" in Fig. 20; *shown above*).

With the simple "single user action" such as pressing a switching button, the present invention enables an operator to switch between content providing devices without having to know which content providing station the content providing devices are connected to.

Chatfield

Chatfield provides a system for end users to access a desired service provided by a service provider. The system automatically chooses a service provider for the desired service in accordance with a database of service providers that can provide the desired service (Fig. 6; *shown below*).

FIGURE 6



USER ID	SERVICE	PREFERRED SERVICE PROVIDER	FIRST ALTERNATE SERVICE PROVIDER	SECOND ALTERNATE SERVICE PROVIDER	THIRD ALTERNATE SERVICE PROVIDER
1	BROADCAST VIDEO	VIDEO PROVIDER ONE	VIDEO PROVIDER TWO		
1	LOCAL VOICE	VOICE PROVIDER ONE	VOICE PROVIDER TWO	VOICE PROVIDER THREE	VOICE PROVIDER FOUR
1	LONG DISTANCE VOICE	VOICE PROVIDER TWO	VOICE PROVIDER ONE	VOICE PROVIDER THREE	
1	INTERNATIONAL VOICE	VOICE PROVIDER ONE	VOICE PROVIDER TWO		
1	INTERNET ACCESS	ISP ONE	ISP TWO	ISP THREE	ISP FOUR
1	GAMING	ISP THREE			
2	INTERNET ACCESS	ISP FOUR			
3	INTERNET ACCESS	VIDEO PROVIDER ONE			

Chatfield teaches an example operation where an end-user inputs a request for a particular service (para. 0040), and a selection of the particular service provider to provide the requested service. If a selected service provider is unable to provide the requested service, a selection will be made of an alternative service provider (para. 0041).

The database of services and service providers is contained in a data center, located between the end users and the service providers (see 100 in Figure 1).

Differences over Chatfield

The Office Action alleges that the claimed selection order management table is taught by the database structure of Fig. 6 (Office Action at page 6, last paragraph beginning "wherein, the content providing station...").

As recited in claim 1, the content providing station stores a selection order management table indicative of an order for selecting from among the plurality of contents or content providing devices. To the contrary, in Chatfield, a service provider does not store the database, and the database does not indicate an order for selection among services. Instead, Chatfield's

database is for selection of a service provider capable of providing a requested service. Chatfield requires that an end-user request a service (e.g., step S407, Fig. 4B).

From an alternatively perspective, Chatfield discloses a centralized data center. Unlike Chatfield, claim 1 recites "a plurality of content providing stations," that a selection rule is stored for selecting from among the content providing stations, and that each content providing station stores a selection order management table. On the other hand, Chatfield discloses that a next alternative service provider is searched in the case where the preferred service provider is not available or cannot provide the requested service (e.g., step S412, Fig. 4C). Chatfield does not disclose that the database provides an ordering among service providers. Chatfield does not disclose a plurality of service providers in which a selected service provider stores a selection order management table for switching to a next content or content providing device based on the order specified in the selection order management table.

Therefore, Applicants submit that the distributed selection order management tables and "order" over contents or content providing devices provided by the claimed selection order management tables are not taught or suggested by the teachings in Chatfield.

At least for these reasons, Applicants submit that Chatfield fails to establish *prima facie* anticipation, and must be withdrawn.

§ 103(a) Rejection – Chatfield, Tracton

Claim 15 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chatfield in view of U.S. Application Publication 2005/0114445 ("Tracton"). Applicants respectfully traverse this rejection.

At least for its dependency on claim 1, Applicants submit that differences over Chatfield apply as well to claim 15. For at least this reason, Applicants submit that the rejection fails to establish *prima facie* obviousness and must be withdrawn.

§ 103(a) Rejection – Chatfield, Kenner

Claims 27 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chatfield in view of U.S. Patent 6,269,394 ("Kenner"). Applicants respectfully traverse this rejection.

The differences between claim 1 and Chatfield described above, apply as well to claims 27 and 28. Furthermore, Applicants submit that Kenner fails to make up for the above-stated deficiencies in Chatfield.

For at least these reasons, Applicants submit that the rejection fails to establish *prima facie* obviousness and must be withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs** Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Robert Downs #48222

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